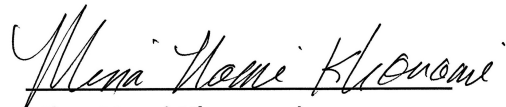


This document has been electronically entered in the records of the United States Bankruptcy Court for the Southern District of Ohio.

IT IS SO ORDERED.

Dated: August 16, 2024




Mina Nami Khorrami
United States Bankruptcy Judge

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION AT COLUMBUS

In re:)	Case No. 23-53819
)	
Paul Everett Dimmick,)	
Lena Marie Dimmick,)	Chapter 7
)	
Debtors.)	Judge Nami Khorrami
)	

**STIPULATION AND AGREED ORDER REGARDING 11 U.S.C. §§ 329, 526, AND 528,
AND FEDERAL RULES OF BANKRUPTCY PROCEDURE 2016 (Docket No. 1)**

This case came on for consideration upon agreement of the Parties,¹ who agree to the following Stipulations:

1. Prepetition, Paul Everett Dimmick and Lena Marie Dimmick, the Debtors in the above captioned case, retained Attorney Laura Nesbitt and the Nesbitt Law Firm, LLC² as bankruptcy counsel for the purposes of filing a bankruptcy petition and executed a retention agreement (the “Agreement”) pursuant to 11 U.S.C. §§ 526 and 528.

¹ Consisting of the United States Trustee for Region 9 and Counsel, as defined below.

² Attorney Laura Nesbitt and the Nesbitt Law Firm, LLC are herein collectively referred to as “Counsel.”

2. Pursuant to the Agreement, the Debtors agreed to pay Counsel total attorney's fees of \$250.00. The Agreement also provides a grant of lien in favor of Counsel as well as naming Counsel as the Debtors' "attorney-in-fact" to negotiate any payments.
3. The Debtors filed a Voluntary Petition under Chapter 7 of the Bankruptcy Code on November 2, 2023 (Docket No. 1).
4. The Disclosure of Compensation of Attorney for Debtors states that the Debtors agreed to pay \$975.00 in attorney's fees (not including the filing fee) and that Debtors paid \$0.00 on or before the petition date, leaving a balance of \$975.00.³
5. The United States Trustee made an inquiry to Counsel regarding the attorney's fees assessed in this case as well as the lien and "attorney-in-fact" provisions within the Agreement.
6. The Parties have agreed to a resolution regarding the United States Trustee's inquiry on the following terms:
 - a. Counsel shall reduce its attorney's fees to the total amount of \$975.00;
 - b. Counsel shall refund any attorney's fees received in excess of the foregoing amount;
 - c. Counsel shall waive any attorney's fees in excess of the foregoing amount;
 - d. Counsel shall waive all unpaid prepetition fees in this case;
 - e. Counsel shall file an amended Disclosure of Compensation reflecting the foregoing fee reduction and showing a \$0 balance owed by the Debtors;
 - f. Counsel waives all lien rights and "attorney in fact" grants set forth in the Agreement;
 - g. Counsel shall provide notice of the foregoing to the Debtors; and
 - h. Counsel shall provide the United States Trustee with proof of the foregoing notice and notice of all refunds, when made, to the Debtors by sending a copy of the correspondence to the United States Trustee no later than 180 days after the entry of this Order.

³ Docket no. 1, page 50.

Good cause appearing, therefore:

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that:

- In the above captioned case, Counsel shall reduce its attorney's fees as set forth above and refund any attorney's fees received in excess of \$975.00.
- Counsel shall file an amended Disclosures of Compensation reflecting any reduction in attorney's fees within 30 days of the entry of this Order.
- Counsel hereby waives all unpaid prepetition fees in this case.
- Counsel will complete its representation of the debtors in compliance with the requirements of the Code and without charging any additional attorney's fees.

IT IS FURTHER ORDERED that Counsel hereby waives all lien rights and "attorney in fact" grants set forth in the Agreement.

IT IS FURTHER ORDERED that:

- Counsel shall provide notice of the foregoing changes to the engagement agreements and compensation structure (set forth above) to the Debtors.
- Counsel shall provide proof of notice and notice of all refunds, when made, to the Debtors by sending a copy of the correspondence to the United States Trustee no later than 180 days after the entry of this Order.

IT IS SO ORDERED.

SUBMITTED BY:

Andrew R. Vara
United States Trustee for Regions 3 and 9

/s/ Nathan A. Wheatley
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Laura Nesbitt and the Nesbitt Law Firm

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